

WILLIAM H. PRUITT, ESQ
Nevada Bar No. 6783
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
BARRON & PRUITT, LLP
3890 West Ann Road
North Las Vegas, Nevada 89031-4416
Telephone: (702) 870-3940
Facsimile: (702) 870-3950
Email: BPruitt@lvnlaw.com
Email: JMeservy@lvnlaw.com
Attorneys for Defendant,
Smart Industries Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WESCO INSURANCE COMPANY as subrogee
of its insured NICKELS AND DIMES
INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION dba
SMART INDUSTRIES CORP., MFG., an Iowa
corporation,

Defendants.

Case No.: 2:16-cv-01206-JCM-EJY

**CONSOLIDATED FOR PURPOSES OF
DISCOVERY AND TRIAL**

Case No.: 2:16-cv-02378-JCM-EJY

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE A JOINT
PRETRIAL ORDER
(Third Request)**

JENNIFER WYMAN, individually; BEAR
WYMAN, a minor, by and through his natural
parent JENNIFER WYMAN; JENNIFER
WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
WYMAN; and SARA RODRIGUEZ natural
parent and guardian ad litem of JACOB WYMAN,

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba
SMART INDUSTRIES CORP., MFG, an Iowa
Corporation; HI-TECH SECURITY INC, a
Nevada Corporation; WILLIAM ROSEBERRY;
BOULEVARD VENTURES, LLC, a Nevada
Corporation; DOES 1 through 10; BUSINESS
ENTITIES I through V; and ROE
CORPORATIONS 11 through 20, inclusive,

Defendants.

HI-TECH SECURITY INC; and WILLIAM
ROSEBERRY,

Third-Party Plaintiffs,

vs.

NICKELS AND DIMES INCORPORATED,

Third-Party Defendants.

COMES NOW, Plaintiffs, SARA RODRIGUEZ parent and guardian of JACOB WYMAN, by and through their counsel of record, Cliff W. Marcek, Esq and Thomas Schwartz, Esq.; Jennifer Wyman, Bear Wyman and the Estate of Charles Wyman by and through their attorney of record, Tracy A. Eglet, Esq. of EGLET ADAMS LAW OFFICE; Smart Industries Corporation, by and through its attorney of record William H. Pruitt, Esq. and Joseph R. Meservy, Esq. of BARRON & PRUITT; and Wesco Insurance Company by and through its attorney Peter Duboswky, Esq. of DUBOWSKY LAW OFFICE and hereby agree and stipulate to extend the time to file the Joint Pretrial Order.

On September 16, 2021, the Honorable Judge James C. Mahan filed a Minute Order stating the parties were to submit a Joint Pretrial Order in compliance with Local Rule 16-4 within 30 days. The Joint Pretrial Order was due October 18, 2021. The parties were granted two extensions until November 8, 2021, and have now agreed to extend the deadline another four days to **November 12, 2021**.

The parties have conducted extensive discovery and there are many documents to review. In addition, there have been numerous depositions, written discovery and each side has disclosed expert witnesses. Due to the amount of potential evidence, the parties need another short extension to prepare and file the Joint Pretrial Order.

The parties are circulating drafts for the joint pretrial order and have made additional progress since the last extension was granted, but it is unlikely the Joint Pretrial Order will be completed by Monday, November 8, 2021.

The parties above request that the court approve of this stipulation and order giving the parties

an additional four days to submit the Joint Pretrial Order.

DATED this 8th day of November, 2021. DATED this 8th day of November, 2021.

/s/ Cliff W. Marcek

CLIFF W. MARCEK, ESQ.

Nevada Bar No. 5061

CLIFF W. MARCEK, P.C.

411 E. Bonneville Ave.

Las Vegas, Nevada 89101

Attorneys for Plaintiffs

SARA RODRIQUEZ, parent and guardian

Of JACOB WYMAN

/s/ Joseph R. Meservy

WILLIAM H. PRUITT, ESQ.

Nevada Bar No. 6783

JOSEPH R. MESERVY, ESQ.

Nevada Bar No. 14088

BARRON & PRUITT, LLP

3890 West Ann Road

North Las Vegas, Nevada 89031

Attorneys for Defendant

SMART INDUSTRIES CORPORATION

DATED this 8th day of November, 2021. DATED this 8th day of November, 2021.

/s/ Brittney R. Glover

TRACY A. EGLET, ESQ.

Nevada Bar No. 6419

BRITTNEY R. GLOVER, ESQ.

Nevada Bar No. 15412

EGLET ADAMS

400 South Seventh Street, Suite 400

Las Vegas, Nevada 89101

Attorneys for Plaintiffs

JENNIFER WYMAN, BEAR WYMAN;

and

ESTATE OF CHARLES WYMAN

/s/ Peter Dubowsky

PETER DUBOSWKY, ESQ.

Nevada Bar No. 4972

AMANDA VOGLER-HEATON, ESQ.

Nevada Bar No. 13609

DUBOWSKY LAW OFFICE, CHTD

300 South Fourth Street, Suite 1020

Las Vegas, Nevada 89101

Attorneys for WESCO INSURANCE CO.

IT IS SO ORDERED November 8, 2021.


UNITED STATES DISTRICT JUDGE

JAMES C. MAHAN

BARRON & PRUITT, LLP
ATTORNEYS AT LAW
3890 WEST ANN ROAD
NORTH LAS VEGAS, NEVADA 89031
TELEPHONE (702) 870-3940
FACSIMILE (702) 870-3950